

the Examiner if restriction were not required. A search of prior art with regard to Examiner's Group I, i.e. claims 1-6, 8, 9 and 11-16, allegedly drawn to a method for inhibiting new tissue growth or neointimal formation in blood vessels in a subject, or for preventing exaggerated restenosis in a diabetic subject by administering an inhibitor of receptor for advanced glycation endproduct (RAGE) to said subject, wherein said inhibitor is a polypeptide will reveal whether any prior art exists as to a method for inhibiting new tissue growth or neointimal formation in blood vessels in a subject (Groups II-VIII). Since there is no burden on the Examiner to examine Groups I-VIII in the subject application, the Examiner must examine the entire application on the merits.

Applicant maintains that claims 1-24 define a single inventive concept. Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw the restriction requirement and examine claims 1-24 on the merits.

2

Information Disclosure Statement

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the PTO-1449 form attached hereto as **Exhibit A**. Copies of these references are attached hereto as **Exhibits 1-8**.

1. Rozenman, Y., Sapoznikov, D., Mosseri, M., Gilon, D., Lotan, C., Nassar, H., Weiss, A.T., Hasin, Y., and Gotsman, M.S. Long-term angiographic follow-up of coronary balloon

- angioplasty in patients with diabetes mellitus: a clue to the explanation of the results of the BARI study (Balloon Angioplasty Revascularization Investigation). J. Am. Coll. Cardiol. 30:1420- 1425, 1997.
2. Detre, K.M., Lomardero, M.S., Mori Brooks, M., Hardison, R.M., Holubkov, R., Sopko, G., Frye, R.L., and Chiatman, B.R. For the Bari investigators. The effect of previous coronary artery bypass surgery on the prognosis of patients with diabetes who have acute myocardial infarction. N. Engl. J. Med. 342:989-997, 2000.
 3. Gu, K., Covie, C.C., and Harris, M.I. Diabetes and the Decline in heart disease mortality in United States Adults. JAMA 281:1291-1297, 1999.
 4. Schmidt, A.M., Vianna, M., Gerlach, M., Breett, J., Ryan, J., Kao, J., Esposito, C., Hegarty, H., Hurley, W., Clauss, M., Wang, F., Pan, Y.C., Tsang, T.C., and Stern, D. Isolation and characterization of binding proteins for advanced glycosylation endproducts from lung tissue which are present on the endothelial cell surface. J. Biol. Chem. 267:14987-14997, 1992.
 5. Neeper, M., Schmidt, A.M., Brett, J., Yan, S.D., Wang, F., Pan, Y.C., Elliston, K., Stern, D., and Shaw, A. Cloning and expression of RAGE: a cell surface receptor for advanced glycosylation end products of proteins. J. Biol. Chem. 267: 14998-15004, 1992.

David M. Stern et al.
U.S. Serial No.: 09/687,528
Filed: October 13, 2000
Page 12

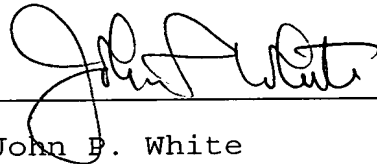
6. Lander, H.L., Tauras, J.M., Ogiste, J.S., Moss, R.A., and A.M. Schmidt. Activation of the Receptor for Advanced Glycation Endproducts triggers a MAP Kinase pathway regulated by oxidant stress. J. Biol. Chem. 272:17810-17814, 1997.
7. Hoffman, M.A., Drury, S., Fu, C., Qu, W., Taguchi, A., Lu, Y., Avila, C., Kambham, N., Bierhaus, A., Nawroth, P., Neurath, M.F., Slattey, T., Beach, D., McClary, J., Nagashima, M., Morser, J., Stern, D., and Schmidt, A.M. RAGE mediates a novel proinflammatory axis: a central cell surface receptor for S100/calgranulin polypeptides. Cell 97:889-901, 1999.
8. Park, L., Raman, K.G., Lee, K.J., Yan, L., Ferran, L.J., Chow, W.S., Stern, D., and Schmidt, A.M. Suppression of accelerated diabetic atherosclerosis by soluble Receptor for AGE (sRAGE). Nature medicine 4:1025-1031, 1998.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invite the Examiner to telephone him at the number provided below.

David M. Stern et al.
U.S. Serial No.: 09/687,528
Filed: October 13, 2000
Page 13

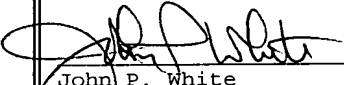
No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicant(s)
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


John P. White
Reg. No. 28,678

3/4/02

Date